

## ORDINANCE NO. \_\_\_\_\_

1           AN ORDINANCE creating a business improvement district under the authority of  
2 the Business Improvement District Act (Neb. Rev. Stat. § 19-4015 et seq.)(Reissue  
3 1997) to be known as the North 27th Street Maintenance District for the purpose of  
4 providing maintenance of certain public facilities and improvements in the North 27th  
5 Street area of the City of Lincoln, Nebraska; providing for special assessments to be  
6 imposed within the district based upon the benefits conferred and providing maximum  
7 limits upon the first of such assessments.

8           BE IT ORDAINED by the City Council of the City of Lincoln, Nebraska:

9           Section 1. Public Hearing; Protests to Creation. That a resolution entitled  
10 "Resolution of Intention to Establish a Business Improvement District for the Provision  
11 of Maintenance of Certain Public Facilities and Improvements in the area of North 27th  
12 Street from O Street to Fair Street" was adopted by the Lincoln City Council on June 3,  
13 2002 as Resolution No. A-81524; that notice of such Intention was properly made by  
14 publication and by mailing a copy of said resolution to each owner of taxable property  
15 as shown on the latest tax roles of the County Treasurer within the proposed district;  
16 that a public hearing on such Intention was held by the City Council on July 15, 2002  
17 during the regular City Council meeting commencing at 1:30 p.m. in the City Council  
18 Chambers on the first floor of the County-City Building, 555 South 10th, Lincoln,  
19 Nebraska; that at such public hearing, the City Council heard all protests and received  
20 evidence for and against the proposed Business Improvement District; that the City  
21 Council has ruled upon all written protests to the creation of such district which were

1 received prior to the close of the hearing, and finds that protest was not made by the  
2 record owners of over fifty percent (50%) of the assessable units in the proposed  
3 district.

4 Section 2. Creation and Purpose of the District; Public Facilities and  
5 Improvements Included. That the North 27th Street Maintenance District is hereby  
6 established. The work to be performed within the district shall include:

- 7 a. Litter and refuse removal from sidewalks, planting areas, and  
8 beautification areas within the public right-of-way.
- 9 b. Care and maintenance, including replacement, of all landscaping,  
10 including watering, fertilizing, weeding, pruning, spraying, and  
11 removal and replacement of dead plantings.
- 12 c. Maintenance (excluding repair) of sidewalks.
- 13 d. General maintenance of median signs including repair and  
14 repainting.

15 Section 3. Boundaries of the District; Property Included Within the District.

16 The boundaries of the proposed Business Improvement District shall  
17 generally extend from 26th Street on the west to 28th Street on the east and from the  
18 center line of O Street on the south to Fair Street on the north primarily including those  
19 properties abutting 27th Street. Said boundaries and the property included therein are  
20 all more specifically shown on the map which is attached hereto, marked as Attachment  
21 A, and made a part hereof by reference.

22 Section 4. Method of Assessment. The cost and expenses for the work to be  
23 performed within the North 27th Street Maintenance District shall be levied as special

1 assessments, fairly and equitably based upon the special benefits to the property within  
2 the district. Such special assessments shall be levied annually on a front-foot basis  
3 and, for the first year of the existence of said district, is proposed to not exceed \$2.76.

4 Failure to pay any assessment or installment when due shall subject the owner  
5 of the assessed property to the payment of such rate of interest for delinquent  
6 assessments and to such collection and foreclosure procedures as are authorized by  
7 state law.

8 Section 5. Effective Date. That this ordinance shall take effect and be enforce  
9 from and after its passage and publication according to law.

Introduced by:

\_\_\_\_\_

Approved as to Form & Legality:

\_\_\_\_\_  
Assistant City Attorney

Approved this \_\_\_\_ day of \_\_\_\_\_, 2002:

\_\_\_\_\_  
Mayor